

Notice of Allowability

Application No.

09/710,922

Examiner

Thomas Duong

Applicant(s)

HAMILTON II ET AL.

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to October 20, 2005.
2. ☒ The allowed claim(s) is/are 1, 4-8, 11-15, and 18-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


JASON CARDONE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Catherine Kinslow (Reg. No. 51,886) on May 24, 2006.
3. The application has been amended as follows:
 15. (Currently amended): A computer readable recordable-type media including a server computer system coupled to a plurality of heterogeneous client computer systems via a network for automatically installing a device driver on said plurality of heterogeneous client computer systems, wherein each of said heterogeneous client computer systems executes a different one of a plurality of operating systems, said computer readable media comprising:
 - instructions for selecting a device driver to be installed;
 - instruction means for specifying said plurality of heterogeneous client computer systems to receive said device driver;
 - instruction means for storing a plurality of different versions of said device driver in said server computer system, wherein each one of said plurality of different versions is executable by only a different one of said plurality of operating systems;
 - instructions for gathering, by said server computer system, a network address of each one of said plurality of client computer systems;
 - instructions for determining, by said server computer system, one of said plurality of operating systems being executed by each one of said plurality of client computer systems;
 - instruction means for creating a file including a plurality of entries, each one of said plurality of entries specifying a different one of said plurality of client computer systems, one of said plurality of different operating systems determined for said one of

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said plurality of client computer systems, and said network address determined for said one of said plurality of client computer systems; and

instruction means for distributing said plurality of versions of said device driver to said plurality of client computer systems utilizing said file by:

instructions for setting an entry from said file;

instructions for creating an install directory on said one of said plurality of client computer systems that is specified in said entry;

instructions for determining an operating system listed in said entry;

instructions for selecting one of said plurality of different versions of said device driver that is executable by said determined one of said plurality of different operating systems;

instructions for executing a remote copy command to copy said selected one of said plurality of different versions of said device driver to said install directory created on said one of said plurality of client computer systems that is specified by said entry, said remote copy command utilizing said network address that is specified in said entry;

instructions for causing, by said server computer system, said one of said plurality of client computer systems that is specified by said entry to execute an install command to install said selected one of said plurality of different versions of said device driver;

instructions for repeating said instructions for distributing said plurality of versions for each one of said plurality of entries of said file.

18. (Currently amended): The computer readable recordable-type media according to claim 15, wherein said instruction means for distributing said plurality of versions of said device driver further comprises:

instruction means for getting a first entry from said file utilizing said server computer system;

instruction means for determining a first one of said plurality of operating systems included in said first entry utilizing said server computer system;

instruction means for determining a network address for a first one of said plurality of client computer systems included in said first entry utilizing said server computer system;

instruction means for retrieving a first one of said plurality of different versions of said device driver utilizing said server computer system, wherein said first one of said plurality of different versions of said device driver is executable by said first one of said plurality of operating systems; and

instruction means for copying said first one of said plurality of different versions of said device driver to said first one of said plurality of client computer systems at said network address utilizing said server computer system.

19. (Currently amended): The computer readable recordable-type media according to claim 18, further comprising:

instruction means for said server computer system determining a directory location within said one of said plurality of client computer systems to which to copy said one of said plurality of different versions; and

instruction means for storing said one of said plurality of different versions of said device driver in said directory location within said one of said plurality of client computer systems.

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20. (Currently amended): The computer readable recordable-type media according to claim 19, further comprising instruction means for said server computer system causing said one of said plurality of client computer systems to execute an installation command to install said one of said plurality of different versions of said device driver.

21. (Currently amended): The computer readable recordable-type media according to claim 20, further comprising:

instruction means for getting a second entry from said file utilizing said server computer system;

instruction means for determining a second one of said plurality of operating systems included in said second entry utilizing said server computer system;

instruction means for determining a network address for a second one of said plurality of client computer systems included in said second entry utilizing said server computer system;

instruction means for retrieving a second one of said plurality of different versions of said device driver utilizing said server computer system, wherein said second one of said plurality of different versions of said device driver is executable by said second one of said plurality of operating systems; and

instruction means for copying said second one of said plurality of different versions of said device driver to said second one of said plurality of client computer systems at said network address utilizing said server computer system.

Response to Arguments

4. The Applicants' arguments and amendments filed in Appeal Brief on October 20, 2005 have been fully considered and are persuasive.

Allowable Subject Matter

5. *Claims 1, 4-8, 11-15, and 18-21* are allowed. The claims indicated include limitations that the prior arts of record do not appear to teach or render obvious, hence they are allowed.

6. The following is an examiner's statement of reasons for allowance:

As presented in the previous office action, Davis et al. (US005742829) discloses a *method for installing software on a distributed heterogeneous client computer systems,*

which have different natural languages, different operating system types, and/or different processor types. In addition, Davis' method automatically installs the appropriate edition of software onto client computers in response to the availability of a new version of the software, etc. and Sakanishi (US006678888B1) discloses a method for distributing software that includes a determination means for determining software to be distributed in accordance with a received command making a request for distribution of the software. However, the prior arts of record fail to teach or suggest individually or in combination as stated in the independent claims for "gathering, by said server computer system, a network address of each one of said plurality of client computer systems; creating, in said server computer system, a file including a plurality of entries, each one of said plurality of entries specifying a different one of said plurality of client computer systems, one of said plurality of different operating systems determined for said one of said plurality of client computer systems, and said network address determined for said one of said plurality of client computer systems; and distributing, by said server computer system, said plurality of versions of said device driver to said plurality of client computer systems utilizing said file by: getting an entry from said file; repeating said step of distributing said plurality of versions for each one of said plurality of entries of said file", in combination with other limitations as set forth in the independent claims, and in combination with the Applicants' arguments presented on pages 13-24 in the Appeal Brief dated October 20, 2005.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

May 25, 2006



Jason D. Cardone

Supervisory PE (AU2145)